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Congress of the United States
House of Representatives

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The Honorable Eric K. Shinseki
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Avenue, Northwest
Washington, DC 20420

Dear Secretary Shinseki:

Thank you for your thoughtful and timely response to my letter from February 20, 2013. I would again like to applaud you and the Veterans Benefits Administration (VBA) staff for completing more than one million claims in each of the last three fiscal years. As you continue to implement your transformation plan, I am hopeful that our veterans will finally receive the benefits system they deserve. However, I remain very concerned about the current situation, and am writing on behalf of veterans in my district to request that your agency quickly provide specific information regarding its efforts to address the existing backlog in processing claims.

According to your agency, 4.7 million claims must be adjudicated in the next 32 months to meet your stated goals.¹ Despite the VBA's transformation efforts, and the implementation of Veterans Benefits Management System (VBMS) at many Veterans Affairs Regional Offices (VAROs) across the country, the backlog inventory remains far too high.

Veterans like Hope Arnold, a resident of Medway, Ohio in the district I represent, continue to wait unacceptable amounts of time for their claims to be adjudicated. Hope, a medically-retired Staff Sergeant who served honorably in the U.S. Air Force, was deployed to Qatar in November 2003 in support of Operation Iraqi Freedom (OIF)/Operation Enduring Freedom (OEF). On the night of February 5, 2004, while Hope and fellow service members were returning to their base from Doha, their vehicle was struck from the rear by another vehicle, causing her to be ejected approximately 80 feet from the scene of the incident. Hope does not remember the incident or the nine days that followed it. She sustained numerous injuries and was placed on life support. However, Hope was resilient and eventually recovered to the extent that she could be transported to Wright Patterson Air Force Base, where she arrived on February 27, 2004. As a result of the injuries she sustained on the night of February 5, 2004, Hope received a medical discharge from the U.S. Air Force in December 2005.

¹ U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Synchronizing VBA's Transformation – Version 86*. Briefing, Cannon House Office Building. March 28, 2013.

In March 2006, the VBA gave Hope a 70 percent disability rating. In September 2010, Hope submitted a supplemental claim related to her injuries from the incident in February 2004. The Cleveland VARO reports that her supplemental claim was received on September 7, 2010. Hope's claim is now more than 2.5 years old and a decision has yet to be rendered. She has gone through numerous clarifying examinations ordered by the VBA and has recently completed another series of clarifying examinations. While one can certainly appreciate the VBA's attentiveness to an accurate diagnosis of Hope's medical conditions, her supplemental claim has been reviewed for decision multiple times only to be deferred to a later date. According to Hope, the Cleveland VARO has now deferred her claim completion date to September 2014 – four years from when the claim was initially filed. Mr. Secretary, according to your agency, it takes an average of 234 days to “gather information”² from the time a claim is submitted. In Hope's case, it has taken even longer, primarily due to the VBA's continued requests for “clarification.” Regardless of the extent of Hope's injuries, I think you would agree that Hope deserves an answer from the VBA in far less than four years.

While I have highlighted Hope's story today, she is just one of the many veterans in the district who are waiting for claims decisions. According to estimates in the Department of Veterans Affairs' (VA) *Strategic Plan to Eliminate the Compensation Claims Backlog*, the backlog inventory will increase this year before steadily decreasing in the first quarter of 2014. While it is understood and appreciated that it takes time to implement a transformation of this magnitude, the current national average claims processing time of 286.4 days remains disconcerting. This statistic is even more troubling when accounting for the continued increase of our nation's veteran population. The December 21, 2012 Government Accountability Office (GAO) report, *Veterans' Disability Benefits: Timely Processing Remains a Daunting Challenge*, states “1 million servicemembers are expected to become veterans in the next 5 years according to VA officials, with a significant number expected to apply for disability benefits.” Considering the influx of new veterans, many of whom will be filing claims with complex medical conditions, I would like to know what steps the VBA is taking to reduce the time it takes to “gather information” so it can meet the VA's stated goals of adjudicating claims in 125 days and eliminating the backlog in 2015.

In comments to the VA Office of Inspector General (OIG) draft report, *Veterans Benefits Administration Review of Transition to a Paperless Claims Processing Environment*, the VBA stated in reference to its transition to VBMS, “Given the complexity of this automation initiative, VA will not be able to completely avoid issues. VA's strategy is to continue to develop and consistently expand and improve this unique system, addressing risks and issues as they are identified.”³ With the full deployment of VBMS expected at VAROs nationwide this June, I am concerned that addressing VBMS “risks and issues” on-the-fly may derail the VA's long-term objectives. In examining VA data, in April 2012, the average claims processing time at the Cleveland VARO was 250.7 days.⁴ Today, that number stands at 350.1 days,⁵ a 40 percent

² Response from SECVA. March 27, 2013.

³ VA Office of Inspector General, Office of Audits and Evaluations. *Veterans Benefits Administration Review of Transition to a Paperless Claims Processing Environment*. P.24. February 4, 2013.

⁴ U.S. Department of Veterans Affairs, Veterans Benefits Administration. ASPIRE Benefits Dashboard. <http://www.app.hospitalcompare.va.gov/index.cfm>, accessed April 8, 2013.

increase. Further, since VBMS was fully deployed at the Cleveland VARO on November 26, 2012,⁶ the average claims processing time at the Cleveland VARO has increased by approximately 16 days.⁷ I am certain these are not the results you, Hope, or our nation's veterans envisioned with VBMS.

As stated in my initial letter from February 20, 2013, I remain concerned that the VBA has not set appropriate benchmarks for meeting its stated long-term goals. While I appreciate the VBA's work to implement 40 initiatives that seek to improve the claims process, there appears to be no public information available on how the VA is meeting its short-term backlog reduction goals and its short-term accuracy improvement goals. I am also concerned that there is no public information available on how the VBA is tracking the success, or lack thereof, of its 40 transformation initiatives. While pilot programs may exhibit success at selected VAROs, it is essential to track the progress of each initiative at each VARO and to make such information publicly available so our veterans, and those who represent them, can fully understand how your agency will meet its long-term goals.

I respectfully request that you provide specific information on how the VA is meeting its short-term claims processing benchmarks and incrementally reducing the claims backlog; how the VA is meeting its short-term accuracy benchmarks and incrementally improving accuracy levels; and how the VA is tracking the short-term progress of each transformation initiative at each VARO.

I remain supportive of the VA's mission to eliminate the claims backlog. As many veterans continue to return home with increasingly complex injuries, the men and women who have sacrificed so much for our American way of life deserve nothing less than a benefits system that addresses their needs in a timely and efficient manner. As you work to implement your transformation plan, I will continue to monitor your progress and offer my assistance those who have worn our nation's uniform in defense of the freedoms and liberties we enjoy.

I appreciate your consideration of the information provided in this letter and I respectfully request a response within 30 days. Thank you for your continued service and your attention to this very important matter.

Sincerely,



John A. Boehner

⁵ U.S. Department of Veterans Affairs, Veterans Benefits Administration. ASPIRE Benefits Dashboard. <http://www.app.hospitalcompare.va.gov/index.cfm>, accessed April 8, 2013.

⁶ U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Department of Veterans Affairs (VA) Strategic Plan to Eliminate the Compensation Claims Backlog*. January 25, 2013.

⁷ U.S. Department of Veterans Affairs, Veterans Benefits Administration. ASPIRE Benefits Dashboard. <http://www.app.hospitalcompare.va.gov/index.cfm>, accessed April 8, 2013.